

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JAMES E. LEE,

Plaintiff,

V.

JO ANNE B. BARNHART,  
Commissioner of Social Security  
Administration,

Defendant.

8:04CV515

# MEMORANDUM AND ORDER

On March 29, 2005, an order giving Plaintiff 60 days to obtain service of process on Defendant was entered (filing 11). That time period has passed and Plaintiff has not obtained service of the summons and complaint. I find that this action should be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m) and filing 11.

IT IS ORDERED:

1. This case shall be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m) for failure to comply with the court's March 29 order (filing 11) regarding service of process.

2. Judgment shall be entered by separate order.

DATED: June 22, 2005.

BY THE COURT:

s/Richard G. Kopf  
United States District Judge